



# Proposal Guidelines for Brownfields Job Training Grants



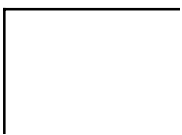
**Recycled/Recyclable**  
Printed with Soy/Canola Ink on paper that  
contains at least 50% recycled fiber

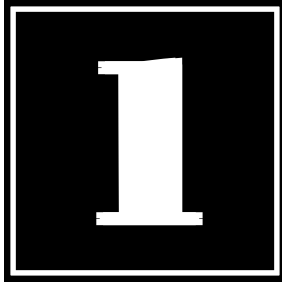


---

## Table of Contents

<b>1. EPA’s Brownfields Job Training Grants .....</b>	<b>3</b>
1.1. Background .....	3
1.2. EPA’s Brownfields Demonstration Grants .....	3
<b>2. Summary of Brownfields Job Training Grants Program .....</b>	<b>5</b>
2.1. Deadlines .....	5
2.2. Applicant Eligibility .....	5
2.3. Authority for Job Training Grant Program .....	6
2.4. Eligible Uses of EPA Funds .....	6
2.5. Prohibited Uses of EPA Brownfields Job Training Grant Funds .....	6
<b>3. Proposal Submission and Selection Process Overview .....</b>	<b>9</b>
3.1. Evaluation of the Proposals .....	9
3.2. Proposal Submission Schedule .....	10
<b>4. Job Training Proposal Guidelines .....</b>	<b>11</b>
4.1. Cover Page .....	11
4.2. Threshold Criteria .....	11
4.3. Ranking Criteria .....	12
<b>Appendix 1. EPA Regional and Headquarters Contacts .....</b>	<b>17</b>
<b>Appendix 2. Prohibitions on Use of Funds .....</b>	<b>19</b>





# EPA's Brownfields Job Training Grants

These guidelines are provided pursuant to Catalog of Federal Domestic Assistance Number 66.811 (a revised CFDA entry has been submitted for approval).

The new Small Business Liability Relief and Brownfields Revitalization Act ("Brownfields Law" or "the Law", P.L. 107-118) allows the U.S. Environmental Protection Agency (EPA) to provide training to facilitate assessment, remediation, or preparation of brownfield sites. A brownfield site is "real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant," as defined in §101(39) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA, or Superfund). Applicants for this program must be located in or near a community that currently receives, or has received, financial assistance from EPA for brownfields-related activities.

## 1.1. Background


In the early 1990s, stakeholders expressed concerns to EPA that more than 600,000 properties that were once used for industrial, manufacturing, or other commercial uses were lying abandoned or underused due to the actual or perceived presence of hazardous substance contamination. Brownfield areas, particularly those in city centers, were contributing to blight and joblessness in surrounding communities. Unknown environmental liabilities were preventing communities, developers, and investors from restoring these properties to productive use and revitalizing impacted neighborhoods.

In 1994, EPA responded to the brownfields problem with an approach that is locally based, encourages strong public-private partnerships, and promotes innovative and creative ways to assess, clean up, and redevelop brownfield sites. This approach empowers state, tribal, and local environmental and economic development officials to oversee brownfield activities. It encourages implementing local solutions to local problems. EPA also has provided funding to create local environmental job training programs to ensure that the economic benefits derived from brownfields revitalization efforts remain in local neighborhoods.

A critical part of EPA's efforts to encourage assessment and cleanup of brownfields is participation by affected residents. In addition, EPA works to ensure that disadvantaged residents do not bear a disproportionate burden of the effects of environmental contamination. To help residents take advantage of jobs created by the assessment and clean up of brownfields, EPA initiated the Brownfields Job Training Grants.

## 1.2. EPA's Brownfields Financial Assistance Program

EPA's Brownfields Program is an organized commitment to help communities revitalize brownfield properties both environmentally and economically, mitigate potential health risks, and restore economic vitality to areas where brownfields exist. Successful cleanup and redevelopment of brownfields are proof that economic development and environmental protection can indeed coexist. As a part of the Brownfields



Economic Redevelopment Initiative, EPA has funded over 500 brownfields grants. The grants are designed to empower states, communities, tribes, and other economic redevelopment stakeholders to work together in a timely manner to prevent, assess, safely cleanup, and sustainably reuse brownfields.



## Summary of Brownfields Grant Programs

Under this announcement, EPA is requesting applications for grants under the National Brownfields Job Training Program. This is a competitive grant program, conducted under a ranking system established under the new Brownfields Law.

The goals of the Job Training Program are to prepare trainees for future employment in the environmental field and facilitate cleanup of brownfield sites contaminated with hazardous substances, pollutants, or contaminants.

EPA will award up to \$200,000 per job training grant. However, EPA reserves the right to fund successful proposals at lower amounts depending on the availability of EPA funds, applicant access to other sources of funds, quality of applicant proposals, and needs of the community.

Successful applicants will be able to use brownfields job training grant funds to bring together community groups, job training organizations, educators, investors, lenders, developers, and other affected parties to provide training to residents in communities impacted by brownfields and to empower local community residents. Although EPA has decided not to require recipients to provide program funding through a specific matching formula, EPA will take into account the extent to which recipients demonstrate the ability to “leverage” limited funds when evaluating and ranking proposals.

### 2.1. Deadlines

***Proposals must be postmarked by January 24, 2003.*** Depending on the availability of funds, EPA expects to select approximately 10 Brownfields Job Training Grants by the end of April 2003.

### 2.2. Applicant Eligibility

Applicants must be either eligible governmental entities as defined in CERCLA §104(k)(1) or eligible nonprofit organizations as defined in Public Law 106-107, the Federal Financial Assistance Management Improvement Act.

Eligible governmental entities include a general purpose unit of local government; a land clearance authority or other quasi-governmental entity that operates under the supervision and control of, or as an agent of, a general purpose unit of local government; a governmental entity created by a state legislature; a regional council or group of general purpose units of local government; a redevelopment agency that is chartered or otherwise sanctioned by a state; a state; an Indian Tribe (other than in Alaska), or an Alaskan Native Regional Corporation and an Alaska Native Village Corporation as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following), and the Metlakatla Indian Community. EPA welcomes and encourages proposals from coalitions of such entities, but a single eligible entity must be identified as the legal recipient. Intertribal consortia, except consortia comprised of ineligible Alaska tribes, are eligible to apply as well.

Eligible nonprofit organizations include any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of

the organization. ***For-profit or proprietary training organizations or trade schools are not eligible to apply.***

Eligible applicants must be located in or near a community that currently receives, or has received, financial assistance from EPA for brownfields-related activities. For a complete listing of existing EPA-funded brownfield grant areas, please visit: <http://www.epa.gov/swerosps/bf/pilot.htm#assess>.

EPA encourages eligible applicants with experience in providing environmental job training and placement programs to apply.

## 2.3. Authority for Brownfields Job Training Grants

Funding for National Brownfields Job Training Program grants is authorized under CERCLA §104(k)(6), 42 U.S.C. 9660(b)(9)(A). This statute authorizes EPA to provide, or fund eligible entities or nonprofit organizations to provide, training, research, and technical assistance to individuals and organizations, as appropriate, to facilitate assessment, remediation, or preparation of brownfield sites. EPA awards grants authorized by §104(k) under a ranking system that includes factors relating to community need, leveraging of other funds, community involvement, eligibility for funding from other sources, and/or effective use of existing infrastructure.

## 2.4. Eligible Uses of EPA Funds

Project proposals must conform to the following guidelines:

- Grant funds may be used to train residents for the handling and removal of hazardous substances, which includes training for jobs in sampling, analysis, and site remediation.
- Funds also may be used for the following: 1) training in the management of facilities at which hazardous substances are located; 2) training for response activities often associated with cleanups—for example, landscaping, demolition, and groundwater extraction; and 3) development of curriculum for the training described in this paragraph.
- Grant funds may be used for training participants in the use of techniques and methods for cleanup of leaking underground storage tanks and other sites contaminated by petroleum products, asbestos abatement, or lead abatement where this training is a component of a more comprehensive hazardous waste management training course or environmental technology training course.
- Grant funds may be used for outreach activities directed toward improving participation in hazardous waste management training for communities impacted by brownfields. Proposed training programs must establish procedures to ensure that participants are recruited from the neighborhoods where the brownfield site(s) are located and graduates from their training programs are employed in assessing and cleaning up hazardous waste facilities.

## 2.5. Prohibited Uses of EPA Brownfields Job Training Grant Funds

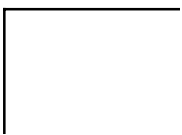
- Grant funds may *not* be used for conducting site assessments or actual cleanups. Grant funds may *not* be used for conducting response activities often associated with cleanups—for example, landscaping,



---

demolition, and groundwater extraction. ***Assessment, cleanup, and associated activity costs should be funded through other means.***

- Grant funds may *not* be used for general or life skills education activities, job readiness training, job placement costs, GED costs, transportation costs or stipends for students, web site development, vehicle or medical insurance, or child care costs.
- Grant funds may *not* be used for costs that are unallowable (e.g. lobbying, fund-raising) under OMB Circulars A-21 (universities), A-87 (state, tribal, and local governments), or A-122 (nonprofit organizations), as applicable.
- Grant funds may *not* be used to match any other federal funds unless there is specific statutory authority for the match. CERCLA does not provide this authority. However, grant funds may be used to match state or local funds if authorized by the relevant state statute or local ordinance.
- Under the new Brownfields Law, ***grant funds may not be used for administrative costs***. See *Appendix 2* for details on this important prohibition.





# Proposal Submission and Selection Process Overview

## 3.1. Evaluation of the Proposals

EPA's goal is to select brownfields environmental job training projects that will serve as training models for other communities across the nation. EPA will only fund projects that are integrated with their community's existing brownfields cleanup and redevelopment efforts. In addition, EPA will evaluate how the proposed training project fits in with other federal, state, tribal, and local sustainable development and job training programs; community revitalization programs; and pollution prevention programs.

***Pre-application assistance is available to all potential applicants upon request.*** EPA encourages interested parties to contact the EPA office in their Region (contacts are provided in *Appendix I*) to answer questions regarding their proposal. Please note that taking advantage of pre-application assistance from EPA Regional staff does not guarantee selection by the national panel.

National Brownfields Job Training Program grants are awarded to the highest ranking applicants, as determined by EPA under a competitive ranking system. Evaluation panels consisting of EPA Regional and Headquarters staff and other federal agency representatives will evaluate the proposals and make recommendations to EPA senior management. Disputes will be resolved under 40 CFR 30.63 and 40 CFR Part 31, Appendix F.

The evaluation panels will assess how well the proposals meet the evaluation criteria outlined below. There are two different types of criteria—***threshold criteria*** and ***ranking criteria***. Threshold and ranking criteria are clearly indicated below. If a response to a ***threshold criterion*** fails, the proposal will be disqualified from further consideration under these guidelines. However, EPA Regions may seek clarification from an applicant regarding its response to certain threshold criteria.

Scores on each ***ranking criterion*** will be totaled to determine proposal rankings. EPA will not seek clarification of responses to ranking criteria. The panels will determine which proposals have the potential to effectively use the limited funds EPA has available for awards. The highest ranking proposals will be selected by EPA senior management, taking into consideration the recommendations of the review panel and geographic distribution of funding between urban and non-urban areas and among EPA Regions.

Proposals must be clear and concise and strictly follow each of the criteria. Sufficient detail must be provided for the panel to evaluate the merits of each proposal and decide which proposals best support the intent of the grant program. Vague descriptions, redundancy, and failure to address budgetary responsibility for training, recruitment, and placement costs may result in a lower ranking. Incomplete proposal packages will not be accepted. Proposals providing the best evidence of need, quality proven record of job placement and student tracking, leveraging of partnerships with public and private sources, measures of success, a comprehensive budget analysis and detailed budget narrative, and effective use of funds will have the best chance of being recommended for funding by the panels.

Following the panel review and senior management selection, successful applicants will receive a confirmation letter, and the appropriate EPA Regional Brownfields Coordinator and Regional Grants Specialist will be informed. EPA anticipates that other applicants will be informed of EPA's decision within approximately 60 days of final decisions on grants by senior management.

EPA will ask the successful applicants to submit a formal cooperative agreement application package. This package will include a formal work plan that describes the work to be performed, including a final budget, and the required certification forms. The EPA Regional Brownfields Coordinators and Regional Grants Specialists will work closely with the applicants to process and finalize the Cooperative Agreement package.

**Proposal funding is not guaranteed at any stage of the proposal process until the Cooperative Agreement is finalized and the final award is made. EPA reserves the right to reject all proposals and make no awards.**

**Note: Applicants must clearly mark any information they consider to be proprietary, confidential business information. If marked information is requested from EPA under the Freedom of Information Act, EPA will follow the provisions of 40 CFR Part 2, Subpart B.**

## 3.2. Proposal Submission Schedule

November 2002	Federal Register Notice published
January 24, 2003	Proposals due to EPA
April 2003	Announcement of Grants

Submit two copies of your proposal, including attachments, to the EPA headquarters addresses below (phone 202-566-2777, fax 202-566-2757). In addition, submit one copy of your proposal, including attachments, to your EPA Regional Brownfields Contact (listed in *Appendix I*). Proposals must be postmarked by January 24, 2003.

Mail your proposal to:  
U.S. Environmental Protection Agency  
OSWER Office of Brownfields Cleanup and Redevelopment (5105T)  
Attn: LaKisha Odom  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

OR  
Overnight your proposal to:  
U.S. Environmental Protection Agency  
OSWER Office of Brownfields Cleanup and Redevelopment  
Attn: LaKisha Odom (5105T)  
1301 Constitution Ave, NW (Rm 2402)  
Washington, DC 20004



# Job Training Proposal Guidelines

## 4.1. Cover Page

The cover page is intended to identify the brownfields job training and development pilot applicant and a contact for communication with EPA. This should be one page and in the format of your choice.

- A. Project Title: This should be as descriptive as possible.
- B. Applicant Identification: The name of the main implementor of your proposed training project.
- C. Location: City, county, and state or reservation, tribally owned lands, tribal fee lands, etc. of your assessment grant or revolving loan fund grant partner. Include the names, addresses, and phone numbers of: 1) your assessment grant or revolving loan fund grant partner's mayor, county executive, governor, tribal chair, etc.; and 2) federal Congressional representatives.
- D. Project Director: Name, phone/fax numbers, e-mail address, and mailing address of the person responsible for the project proposal. This person will be contacted if other information is needed.
- E. Date Submitted: Date when the proposal is postmarked or sent to EPA via registered or tracked mail.
- F. Project Period: Project period must not exceed two years.
- G. Cooperative Partners: Provide names and phone numbers of individuals and organizations that have agreed to participate in the implementation of the project. Please note that financial transactions with cooperative partners that involve EPA funding will be subject to compliance with applicable EPA assistance regulations.

## 4.2. Threshold Criteria

- A. Location of the Proposed Project

Identify the EPA-funded brownfields grant (assessment, RLF) in your project area.

- B. Applicant Eligibility

Describe how you are an eligible applicant for the job training grant. (See description of eligible applicants in Section 2.2.)

- C. Duplication

Applicants must demonstrate that the proposed training project does not duplicate other federally funded hazardous waste management training programs in their target community. The National Institute of Environmental Health Sciences maintains a list of their worker training grantees on their web site, <http://www.niehs.nih.gov/wetp>.

### Eligible use of Funds

Proposals must not include costs that are ineligible for EPA Brownfields Job Training funding. (See *Appendix 2* for details).

## 4.3. Ranking Criteria

### A. Community Need (a maximum of 10 points may be received for this criterion)

*The purpose of this section is to provide evidence of need. Demonstrate the impact on the targeted community.*

1. Provide a detailed description of the target community you propose to serve under this project. Include demographic information and indicators, such as the poverty rate and the unemployment rate.
2. Describe, in detail, the current brownfields challenges of your targeted community, including environmental, economic, and social issues.
3. Describe, in detail, the demand from future employers to hire local residents to fill environmental jobs. Also describe the skills potential employers will need.
4. Indicate whether your community is located in or near an Empowerment Zone/Enterprise Community (EZ/EC), Renewal Community, or is classified as a small community (population under 100,000).

### B. Institutional Capacity (a maximum of 15 points may be received for this criterion).

1. Describe your experience and the experience of your partners in providing environmental job training and other job training services. Include in your description, your success in recruitment, training, and job placement as well as your instructors' experience with the curriculum and target population.
2. Describe prior experience in managing federal grants. You must include information on all adverse audit findings made within the last five years and special or "high risk" terms and conditions imposed as a result of grant compliance issues within the last five years.

### C. Training Program Objectives and Plans (a maximum of 25 points may be received for this criterion).

1. Describe the objectives of your proposed project. Specify: 1) how many participants you expect to train through this grant; 2) number of training cycles; how many hours per cycle; names of courses; when and where you plan to conduct training classes; 3) your targeted placement rate at jobs that bear a direct correlation to the training received; and 4) how graduates will be tracked and the target time frame for tracking (**at least one year**).
2. Describe how prospective trainees will be screened, including academic and other criteria.
3. Provide a course outline as an attachment and include a list of training tools and materials that will be provided to trainees. List and describe certifications (e.g., OSHA health and safety training for hazardous waste workers, lead abatement, asbestos abatement) graduates will earn. Indicate whether your organization or collaborative partners are approved to provide such certification, and explain how any exam fees will be covered.
4. Describe any local incentives or other mechanisms for encouraging employment of local residents (e.g., first source or local hire ordinance for contractors of public agencies, tax incentives for local hire, wage subsidies, or other mechanisms).

D. Budget, Schedule, and Leveraging (a maximum of 20 points may be received for this criterion).

1. Provide a comprehensive proposed budget for your training project. This should include cost estimates for each of the proposed project activities to be conducted using EPA funds. ***EPA does not require that applicants include a matching or cost share.***

Although EPA grant funds may be used on personnel, equipment, and supplies, emphasis should be placed on delivery of training. The following is a suggested budget format:

Project Funding	Instruction	Outreach	Other Tasks	Total
<b>EPA Project Funding</b>				
Personnel				
Progress or performance reporting				
Travel				
Other (contractual, supplies, etc.)				
Total EPA Funds				
<b>Non-EPA Project Funding</b>				
Administrative Costs				
Other				
Total Non-EPA Funds				

2. Budget Narrative. A budget narrative should accompany the budget and explain each activity, including how it is relevant to the EPA funding authority and to the objective of providing environmental training. Describe how each activity and cost is relevant to the EPA funding authority.

All costs incurred under this program must be allowable under the applicable OMB Cost Circulars (A-21 for educational institutions, A-87 for governments, and A-122 for nonprofit organizations) and eligible for funding under the National Brownfields Job Training Program. See *Appendix 2* for a description of prohibited administrative costs and eligible programmatic costs.

- Applicants must comply with the procurement requirements of the EPA financial assistance regulations, 40 CFR Part 30 for universities and nonprofit organizations, and 40 CFR Part 31 for states, tribes, and local governments.
- If your organization intends to provide noncompetitive subgrants to other nonprofit or governmental organizations, discuss the process you will follow to ensure that these agreements meet the standards for financial assistance contained in OMB Circular A-133, Section\_\_\_210.
- EPA's brownfields program does not allow recipients of job training grant funds to make subgrants to for-profit organizations. Recipients are accountable for the selection of contractors and subgrantees. However, EPA will review and approve the substantive terms of all contracts and subgrants for activities that are central to the performance of this agreement under 40 CFR 30.25 and 40 CFR 31.30.

3. **Leveraged Funds.** Demonstrate how you will leverage funding to develop an integrated training program. Provide a detailed description that clearly explains how funds and other resources provided by collaborative partners will complement EPA grant funds and support recruitment, job readiness, and placement. Each partner's role should be clearly defined. Distinguish between how EPA funds will be used and how funds or other resources from the partners will be used (e.g., DOL-financed life-skills training). Letters of support should reference these commitments.

Describe how you plan to leverage funds and other resources to support the project. For example, provide details on how you intend to fund life-skills training, pre-employment training, counseling, child care, academic enhancement, placement assistance, transportation assistance, and other activities not funded by this grant.

E. Community Involvement and Partnerships (a maximum of 20 points may be received for this criterion).

1. Describe your partnership with the EPA brownfields grant recipient in your grant area.
2. *EPA believes that early community involvement in the development of the proposal and throughout the project is necessary and critical to the success of a pilot.* Describe your efforts to involve the community in the development of this proposal. Provide a list of neighborhood-based and community-based organizations and other stakeholders.
3. Letters of support should be included as attachments. *The letters of support should reference the organizations' role in, or commitments to, the job training project if the applicant is selected.* These organizations may be contacted by EPA during the evaluation process.
4. Describe how the proposed project addresses environmental justice considerations and addresses issues of disadvantaged populations within your target community.
5. Describe how residents of the identified community have easy access to training facilities.
6. Describe how the employer community (for example, local businesses, environmental contractors, brownfield site owners) has been involved in the development of the proposed training. This involvement could include curriculum development, advisory councils, apprenticeships, and mentoring.
7. Describe partnerships with local community groups, labor unions with apprenticeship programs, academic and other institutions, and public schools located in or near the identified community that can provide the prerequisite skills or knowledge.

The letters of support from partnering institutions, employer communities, community-based organizations, and EPA assessment project grant recipient should substantiate this description by stating their specific commitments and/or participation to the job training project if the applicant is selected. These entities may be contacted by EPA during the evaluation process.

F. Measures of Success (a maximum of 10 points may be received for this criterion).

1. Define success in terms of your project goals. Goals should be specific, measurable, realistic, and within a specific time frame.
2. State your objectives and milestones for the end of each term listed: six months, one year, 18 months, and two years (final closeout report due). This description should include a narrative as well as a table or graphic timeline.



- 
3. Describe how your organization will ensure sustainable employment, including initial job placement and long-term employment. Describe job placement and tracking strategies and identify the responsible entity and the source of funding (non-EPA) for this.
  4. Describe any evaluation tools that will be used to gauge the compatibility of your objectives to potential employers' future needs.
  5. List the reports or other deliverables you plan to provide to EPA as documentation of your project's progress and success. Please note that EPA requires quarterly reports including key measures (needed for statistical data collection) or other indicators of a successful job training program.
  6. Provide a timetable showing start and completion dates for significant tasks.



**Appendix****1**

# EPA Regional and Headquarters Contacts

<b>Regions and States</b>		<b>Address and Phone Number</b>
<b>EPA Region 1</b> <b>Lynne Jennings</b>	<b>CT, ME, MA, NH, RI, VT</b>	One Congress Street, Suite 1100 (Mailcode HIO) Boston, MA 02114-2023 Phone (617) 918-1210 Fax (617) 918-1291 jennings.lynne@epa.gov
<b>EPA Region 2</b> <b>Larry D'Andrea</b>	<b>NJ, NY, PR, VI</b>	290 Broadway, 18th Floor, New York, NY 10007 Phone (212) 637-4314 Fax (212) 637-4360 dandrea.larry@epa.gov
<b>EPA Region 3</b> <b>Tom Stolle</b>	<b>DE, DC, MD, PA, VA, WV</b>	1650 Arch Street (3HS34), Philadelphia, PA 19103-2029 Phone (215) 814-3129 Fax (215) 814-5518 stolle.tom@epa.gov
<b>EPA Region 4</b> <b>Mickey Hartnett</b>	<b>AL, FL, GA, KY, MS, NC, SC, TN</b>	Atlanta Federal Center, 61 Forsyth Street (SNFC, EPA Mail Rm.) Atlanta, GA 30303 Phone (404) 562-8661 Fax (404) 562-8628 hartnett.mickey@epa.gov
<b>EPA Region 5</b> <b>Deborah Orr</b>	<b>IL, IN, MI, MN, OH, WI</b>	77 West Jackson Boulevard (SE-4J), Chicago, IL 60604-3507 Phone (312) 886-7576 Fax (312) 886- 6741 orr.deborah@epa.gov
<b>EPA Region 6</b> <b>Stan Hitt</b>	<b>AR, LA, NM, OK, TX</b>	1445 Ross Avenue, Suite 1200 (6SF-PB), Dallas, TX 75202-2733 Phone (214) 665-6736 Fax (214) 665-6660 hitt.stan@epa.gov
<b>EPA Region 7</b> <b>Nancy Schelle</b>	<b>IA, KS, MO, NE</b>	901 N. 5th Street (SUPR/STAR), Kansas City, KS 66101 Phone (913) 551-7940 Fax (913) 551-8688 schelle.nancy@epa.gov
<b>EPA Region 8</b> <b>Mary Ahlstrom</b>	<b>CO, MT, ND, SD, UT, WY</b>	999 18th Street, Suite 300 (EPR-SA), Denver, CO 80202- 2466 Phone (303) 312-6626 Fax (303) 312-6067 ahlstrom.mary@epa.gov
<b>EPA Region 9</b> <b>Jim Hanson</b>	<b>AZ, CA, HI, NV, AS, GU</b>	75 Hawthorne Street, SFD 1-1, San Francisco, CA 94105 Phone (415) 972-3188 Fax (415) 947-3528 hanson.jim@epa.gov
<b>EPA Region 10</b> <b>Susan Morales, Roopa Karia</b>	<b>AK, ID, OR, WA</b>	1200 Sixth Avenue (ECL-112), Seattle, WA 98101 Phone (206) 553-2100, (206) 553-0124 Fax (206) 553-0124 morales.susan@epa.gov, karia.roopa@epa.gov
<b>EPA Headquarters</b> <b>Myra Blakely</b>		U.S. Postal Service mailing address: 1200 Pennsylvania Avenue, NW (MC 5105T) Washington, DC 20460 Overnight Delivery mailing address: EPA West Building, 1301 Constitution Avenue, Room 2402 Washington, DC 20004 Phone (202) 566-2777 Fax (202) 566-2757 blakely.myra@epa.gov



## Appendix 2

# Prohibitions on Use of Funds

The Brownfields Law prohibits the use of any “part of a grant or loan” awarded under §104(k) of CERCLA for:

1. A penalty or fine.
2. A federal cost-share requirement (for example, a cost share required by other federal funds).
3. A response cost at a brownfield site for which the recipient of the grant or loan is potentially liable under CERCLA §107.
4. A cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the cleanup.
5. The payment of an administrative cost.

In implementing the administrative cost prohibition, EPA has made a distinction between prohibited administrative costs and eligible programmatic costs.

- A. **Administrative Costs.** Prohibited administrative costs are direct costs including those in the form of salaries, benefits, contractual costs, supplies, and data processing charges incurred to comply with most provisions of the “Uniform Administrative Requirements for Grants” contained in 40 C.F.R. Part 30 or 40 C.F.R. Part 31. Direct costs for grant administration are ineligible even if the grantee or subgrantee is required to carry out the activity under the grant agreement. Prohibited administrative costs are also ***all indirect costs*** under OMB Circulars A-21 (Educational Institutions), A-87 (Governments), and A-122 (Nonprofit Organizations), and Subpart 31.2 (Commercial Organizations) of the Federal Acquisition Regulation.
- B. **Programmatic Costs.** EPA has determined that the administrative cost prohibition does not apply to “programmatic” costs, i.e., costs for activities that are integral to achieving the purpose of the grant, even if the Agency considered the costs to be “administrative” under the prior Brownfields Program.
  1. The prohibition does not apply to direct costs of training. For example, costs for instructors’ salaries, program management salaries (to the extent that such costs are included in the scope of work for the brownfields job training grant), training materials (e.g. textbooks, equipment, and classroom supplies), necessary travel and transportation expenses and, medical tests required to qualify for hazardous substances related work are programmatic, not administrative.
  2. Direct costs, as defined in the applicable OMB Cost Principle Circular, for the following programmatic activities are not subject to the administrative cost prohibition. These costs, however, must be allowable under the scope of work for the grant. Costs incurred for complying with procurement provisions of 40 CFR Part 30 and Part 31 are considered eligible programmatic costs only if the procurement contract is for services or products that are direct costs for training as described above. Costs for performance and financial reporting required under 40 CFR 30.51 and 30.52, and 40 CFR 31.40 and 31.41 are eligible programmatic costs. Performance and financial reporting are essential programmatic tools for both the recipient and EPA to ensure that grants are carried out in accordance with statutory and regulatory requirements.

For further information on these prohibitions, call your Regional Brownfields Contact listed in *Appendix 1*.